

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

JASON PAUL SCHAEFER,

Case No. 3:18-cv-01145-SI

Plaintiff,

ORDER

v.

TIM FRANK, et al.,

Defendants.

SIMON, District Judge.

This prisoner civil rights case comes before the Court on Plaintiff's six Motions seeking preliminary injunctive relief concerning the conditions of his confinement at the Columbia County Jail. Among Plaintiff's concerns are issues with his mail, telephone access, request for a shower chair and socks, access to evidence, an ankle injury he claims to have suffered at the hands of correctional staff, and access to grievance forms. On December 11, however, Plaintiff was transferred from the Columbia County Jail to the Multnomah County Jail. This

effectively moots his pending Motions.¹ *Johnson v. Moore*, 948 F.2d 517, 519 (9th Cir. 1991) (per curiam) (prisoner's claims for injunctive relief relating to prison conditions are mooted by transfer to another institution).

Plaintiff also filed a document entitled "Supplemental Complaint" which appears to be a proposed amended complaint. Where Plaintiff has not moved for leave to file such a document, the Court strikes the Supplemental Complaint. See FRCP 15.

CONCLUSION

Plaintiff's Motions for Preliminary Injunctive Relief (#21, #22, #27, #30, #31, & #34) are denied, and his Supplemental Complaint (#39) is stricken. The Amended Complaint (#12) remains Plaintiff's operative pleading in this case.

IT IS SO ORDERED.

DATED this 14th day of January, 2019.



Michael H. Simon
United States District Judge

¹ Even the Motions were not mooted by the transfer, Plaintiff has not established either a likelihood of irreparable injury or success on the merits of an underlying claim sufficient to justify preliminary injunctive relief. See *Winter v. Natural Res. Def. Council, Inc.*, 129 S.Ct. 365, 374 (2008) (a party seeking preliminary injunction must demonstrate a likelihood of irreparable injury as well as a likelihood of success on the merits of his claims).